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I hereby certify that this correspondence, and attachments, if any, are being facsimile transmitted to Group Art Unit 1653 of the USPTO at fax number (703) 872-9307 on July 14, 2004.

Francene Sawyer July 14, 2004  
Francene Sawyer Date

## F A X T R A N S M I T T A L

If problems with transmittal, call fax department at 212.813.8800.

Date	Total pages
July 14, 2004	5

To	Company	Fax number	Telephone
Commissioner for Patents	U.S. Patent and Trademark Office	(703) 872-9307	

From	Fax number	Telephone
Runzhi Zhao, PhD.	212.355.3333	212.813.8815

## Message:

Appl. No. : 09/484,121  
 Applicant : Ralf Reiner Schumann  
 Filed : 01/13/2000  
 Title : Therapeutic agent for the treatment of septicemia, its preparation and use

TC/A.U. : 1653  
 Examiner : Kam, Chih Min

Docket No. : 103888-307-NP

Submitted herewith are the following items for filing in the above-identified case:

1. This Fax Transmittal (1 page);
2. Request for Continued Examination (1 page); and
3. Preliminary Amendment ( 3 pages).

For a total of 5 pages.

The Commissioner is authorized to charge any required fees, including any RCE fees and/or extension of time fees, any additional fees, or credit any overpayment, to Goodwin Procter LLP Deposit Account No. 06-0923.

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11RN/43717821

PTO/SB/30 (09-03)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/484,121
Filing Date	January 13, 2000
First Named Inventor	Ralf Reiner Schumann
Art Unit	1853
Examiner Name	Kam, Chih Min
Attorney Docket Number	103888-307-NP

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **(Submission required under 37 CFR 1.114)** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Amendment \_\_\_\_\_

## 2. Miscellaneous

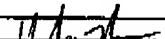
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 06-0923
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2039 enclosed)

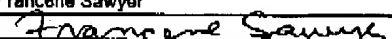
**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Runzhi Zhao, Ph.D.	Registration No. (Attorney/Agent)	48833
Signature		Date	July 14, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Francene Sawyer
Signature	
Date	July 14, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Francene Sawyer July 14, 2004  
Francene Sawyer Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/484,121  
Applicant : Ralf Reiner Schumann  
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Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sir:

With the request for continued examination (RCE) under 37 CFR 1.114 of the above-identified application, please amend the application as follows: